



OFFICE OF THE  
**BOARD OF SELECTMEN**  
**TOWN OF MAYNARD**  
MUNICIPAL BUILDING  
195 MAIN STREET  
MAYNARD, MASSACHUSETTS 01754  
Tel: 978-897-1301 Fax: 978-897-8457

**Meeting Minutes**  
**Tuesday, October 6, 2020**  
Held Remotely  
*(This public meeting was recorded.)*

**Present:**

Armand Diarbekirian, member  
Chris DiSilva, member  
David Gavin, member  
Justine St. John, member, Chair

Jeffrey Swanberg, member  
Gregory W. Johnson, Town Administrator  
Megan Zammuto, Assistant Town Administrator  
Becky Mosca, Administrative Assistant

**1. Meeting Opening**

Motion to enter in executive sessions for the purposes 1) to conduct strategy sessions in preparation for negotiations for collective bargaining sessions related to the role of the Director of Building Operations as it may impact Clerical staff, Public Works Laborers and Custodians; and 2) to conduct strategy sessions in preparation for negotiations for collective bargaining sessions related to the role of an Interim Town Clerk as it may impact Clerical staff, Professionals, and non-union personnel contracts.

Voted by roll call. **Motion carried unanimously.**

**2. Executive Session**

A. Executive Session convened

B. Executive Session minutes considered for approval but not release from September 2, 2020

**3. Re-Convene in Opening Session**

A. Ms. St. John called the meeting to order at 7:22 pm

B. Public Comments:

Donna Dodson inquired as to the proposed Special Town Meeting article from October 3, 2020 intended to amend By-Law Chapter 21: Nuisances, specifically related to bicycles. She reported that surrounding towns' fine is only \$25.00 for specific citations. Ms. Dodson asked whether the citations applied only to Assabet River Rail Trail, or other right of ways. She indicated she would collaborate with the town's By Law Review Committee.

**4. Acceptance of Minutes**

**A motion was made by Mr. Diarbekirian and seconded by Mr. Swanberg** to accept and approve the September 15, 2020 Meeting Minutes, as shown. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

#### **5. Correspondence**

**A motion was made by Mr. Gavin and seconded by Mr. DiSilva** to accept the list of twelve correspondence items (A thru L), as presented.

- A. Town of Stow Notice and Decision 9 Assabet Street Variance
- B. Town of Stow Notice and Decision 9 Assabet Street Permit
- C. Letter from Resident – Concern with dog
- D. Notification for 7-Eleven 37360 – applying for Keno License
- E. OARS notice
- F. Local Initiative Program LAU Approved – 42 Sumer Street
- G. ABCC Advisory regarding updated sector specific workplace safety standards for restaurants to address Covid-19
- H. Notice of ZBA Public Hearing: 2-4 Powder Mill Road (Assabet Co-Op Market)
- I. H4693 Signed Parchment – liquor License for Russell’s Convenience Store located at 193 Main Street Maynard
- J. Notice of Decision Application # PB20-06 129 Parker Street
- K. Notice from the Maynard Retirement Board – Board voted in Kenneth DeMars as the Election Officer
- L. Notice from Xfinity: Regional Sports Networks

Mr. Gavin inquired as to whether the report from Item C was conveyed to the town’s Animal Control Officer. Mr. Johnson responded that it had, and would follow up.

Mr. DiSilva requested that a letter of objection be submitted regarding Item D and a Keno license at 7/11. Other Board members indicated their endorsement of this action. Mr. Johnson responded that he would submit a letter of objection on behalf of the Board.

A motion was made by Mr. DiSilva and seconded by Mr. Gavin authorizing the Town Administrator to submit a letter of objection regarding the Keno License application for 7-11 at 5 Waltham Street on behalf of the Board of Selectmen.

Voted by roll call. **Motion carried unanimously.**

Mr. Diarbekirian inquired concerning Item F and if the Local Initiative Program (LAU) is all set for 42 Summer Street. Ms. Zammuto responded that it was not yet complete, but that MacDonald Development is working towards its completion.

#### **6. Consent**

**A motion was made by Mr. Swanberg and seconded by Mr. Diarbekirian** to approve the one Consent Agenda items as shown. Authorizing use of digital signatures if approved.

A. Use of Town Property: Crowe Park – Repeat, Metro west Kung Fu, Eliot Prisby October 2020

Voted by roll call. **Motion carried unanimously.**

**7. Public Hearing: Application for Alteration of premises**

Regarding Maynard Wine and Spirits, 4 Digital Way:

Notice is hereby given, in accordance with Massachusetts General Laws Chapter 138, as amended, that a Public Hearing will be held on Tuesday, October 6, 2020 at 7:10 p.m. via Zoom remote meeting (access instructions below), the Board of Selectmen will vote on the application for Alteration of Premises License off premise for All Alcohol Beverages as a Common Victualler license for Maynard Wine and Spirits, Inc. d/b/a Maynard Wine and Spirits at 4 Digital Way, Maynard, MA. Manager on record shown as Joseph C. Saia. Copy of application is on file in the Office of the Board of Selectmen.

**A motion was made by Mr. DiSilva and seconded by Mr. Gavin** to approve the application for Alteration of Premises License for Maynard Wine and Spirits, Inc. doing business as Maynard Wine and Spirits at 4 Digital Way, Maynard, MA; the manager on record shown as Joseph C. Saia; this license will be held in the Office of the Selectmen until the final Occupancy is completed and issued by the Maynard Building Commissioner and the Maynard Fire Department; the Board of Selectmen is requested to authorize the use of their digital signatures if approved.

Mr. Gavin asked if the Planning Board have any issues with the change in size. Ms. Zammuto responded that the Planning Board had no issues.

Voted by roll call. **Motion carried unanimously.**

**Hearing closed at 7:48 pm.**

**8. Public Hearing: Application for Marijuana License**

Regarding Mass Wellspring, 4-6 Nason Street:

Notice is hereby given, in accordance with Massachusetts General Laws Chapter 94G, and section 3, as amended, that a Public Hearing will be held on Tuesday, October 6, 2020 at 7:20 p.m. via Zoom remote meeting (access instructions below), on the application for a New Retail License for a Marijuana Establishment as a Retail Off Premise license for Mass Wellspring LLC. d/b/a Mass Wellspring LLC. 4-6 Nason Street Maynard, MA. Manager will be Olof Ingare. Copy of application is on file in the Office of the Selectmen.

Members of the Board inquired as the status of the Security Plan submission and review by the Police Chief. The Board inquired as the construction schedule for the proposed store.

Members of the public encouraged the Board to exercise patience in order to allow for appropriate diligence in considering the approval of this license.

Continued until Tuesday, October 20, 2020 at 7:30 pm.

Hearing closed at 8:10 pm.

**9. Maynard Police Department**

**A motion was made by Mr. Diarbekirian and seconded by Mr. DiSilva** to appoint Brian Cushing to the rank of Lieutenant to the Maynard Police Department with effective date of October 7, 2020. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

**A motion was made by Mr. Swanberg and seconded by Mr. Diarbekirian** to appoint Trista Manchuso to the rank of Sergeant to the Maynard Police Department with effective date as of November 7, 2020. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

Chief Noble spoke about the Jail Diversion Program for Maynard and introduced Mackenzie Derick who gave an overview of the program and the services provided.

**10. Common Victualler License: Application for Change of Manager and Beneficiary**

Regarding Café of India, 155 Main Street:

Notice is hereby given, in accordance with Massachusetts General Laws Chapter 138, as amended, that a Public Hearing will be held on Tuesday, October 6, 2020 at 7:40 p.m. via Zoom remote meeting (assess instructions below), the Board of Selectmen will vote on the application for Amendment – Application for a Change of Beneficial Issuance of Stock and Change of Manager, Anita Adhikari on premise for All Alcohol Beverages as a Common Victualler license for Ganapati Baba Inc. d/b/a Café of India at 155 Main Street, Maynard, MA. Copy of application is on file in the Office of the Board of Selectmen.

**A motion was made by Mr. DiSilva and seconded by Mr. Diarbekirian** to approve the application for amendment for a change of beneficial interest and change of manager to Anita Adhikari for Ganapati Baba Inc. doing business as Café of India at 155 Main Street, Maynard. The Board of Selectmen is requested to authorize the use of digital signatures by the Office of the Selectmen to process this application.

Hearing closed at 8:40pm.

Voted by roll call. **Motion carried unanimously.**

**11. Common Victualler License: Change of Manager**

Regarding 110 Grill Maynard, 9 Digital Way:

**A motion was made by Mr. Diarbekirian and seconded by Mr. DiSilva** to approve the change of manager for 110 Grill Maynard to Steven Melendez. Board of Selectmen is requested to authorize the use of digital signatures by the Office of the Selectmen to process this application. Authorizing use of digital signatures if approved.

The Board approved the change of manager application at the meeting on September 15, 2020.

Voted by roll call. **Motion carried unanimously.**

## **12. Intra-governmental Agreement with Maynard School Department**

**A motion was made by Mr. Swanberg and seconded by Mr. DiSilva** to approve the intra-governmental agreement with the Maynard School Department related to the sharing of responsibilities of the management of facilities and supervision of the Director of Building Operations position. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

## **13. COVID-19**

A. The Board of Selectmen considered the Board of Health's guidance on the upcoming Halloween activities as deliberated at the Board of Health's meeting on September 22, 2020. Highlights included:

- The downtown trick or treat event sponsored by the Assabet Valley Chamber of Commerce has been canceled.
- The Center of Disease Control (CDC) has listed traditional trick-or-treating as a high-risk activity.
- The Board of Health discussed upcoming state guidance and agreed to promote state best practices and health tips with the public.
- Health Agent Kelly Pawluczzonek emphasized the need for a statewide or regional approach because if one community "cancels" trick-or-treating, there is a high likelihood that residents would participate in these activities in surrounding communities.
- The Board requested that staff post state guidelines regarding holiday activities.

The Board of Selectmen agreed that a joint statement with the Board of Health should be drafted to convey the guidance of the two bodies regarding Halloween. The Town Administrator's Office will administer the communication accordingly.

A. The Board reviewed the recently announced new phase of the Governor's State Re-opening Plan, specifically Phase 3 Step 2.

C. The Board considered an extension of payment due dates for certain licenses that may be affected by the impact from COVID-19 on the local economy.

D. The Board considered the extension for allowance of Outdoor Table Services, per the Governor's Guidance. The Board considered to extend the date past November 1, 2020 for outdoor dining. The Board agreed to consider applications for a 60-day extension.

## **14. Cemetery Deeds**

**A motion was made by Mr. Gavin and seconded by Mr. DiSilva** to approve the three cemetery deeds, Deed 33, Deed 2067, and Deed 2068. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

**15. Special Town meeting, October 3, 2020**

Mr. Johnson asked for feedback as a recap of the Special Town Meeting. The Board's comments included compliments on the execution of the event, as well as recommendations to facilitate deliberations at future Meetings, especially concerning considerations for by-law amendments. Mr. Johnson responded that he would provide the Board's feedback to Town Moderator Dick Downey.

**16. Warrant for 2020 State Election**

**A motion was made by Mr. Gavin and seconded by Mr. Swanberg** to accept and approve the warrant for the 2020 State Election as shown. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

**17. Town Clerk**

**A motion was made by Mr. Swanberg and seconded by Mr. Diarbekirian** to appoint Temporary Town Clerk, Joanne Bilotta-Simeone with a term effective October 9, 2020. Authorizing use of digital signatures if approved.

Voted by roll call. **Motion carried unanimously.**

**18. Board of Selectmen Goals for FY21**

The Board reviewed the draft goals as presented, and provided some comments. Chair St. John requested the Board members provide her with suggestions revisions.

**19. Town Administrator Report**

Mr. Johnson encouraged the public to review the Town Administrator's Reports online, and thanked the departments for their thorough submissions.

Highlights from the report include: Consideration of proposed amendments to the inter-municipal agreement regarding Cross Town Connect; consideration of the Board for involvement with negotiations with Sterling Golf Management for their contract's extension or renewal; consideration of the Board for involvement with negotiations with ArtSpace's Board of Directors for their lease agreement's extension or renewal or otherwise; awareness that the Assabet Valley's Boys and Girls Club is not providing a Remote Learning Enrichment Program due to lack of enrollment; and, that town offices would be closed in recognition of the state's Columbus Day holiday for October 12, 2020.

Mr. Diarbekirian inquired as to the status of the redevelopment of 111 Powder Mill Road by the Fazheng Group for an international school. Mr. Johnson responded that the town departments arranged to meet regularly before COVID-19, but since then it appears progress has slowed.

**20. Chairman's Report**

Ms. St. John asked if a board member would be willing to serve as liaison to the Board of Health. Jeff Swanberg volunteered.

Ms. St. John commented on the great events over the weekend, from Town meeting, to the Drive-in movie. The town had many volunteers that helped make everything happen.

## **21. Board Member Reports**

Mr. Diarbekirian reported his meeting with Mr. Johnson for an annual performance review. He attended the recent ribbon cutting ceremony for the opening of Evviva Trattoria. He commented on the fire that damaged the Salt Therapy studio on Main Street. He complimented the drive-in movie event recently held on October 3, 2020 at 111 Powder Mill Road. He reported that there was a call for fundraising to support the Sanctuary.

Mr. DiSilva had no comments.

Mr. Swanberg reported that he recently hiked the Blue Jay conservation area, and complimented the work of the Eagle Scout Project to redevelop the trail.

Mr. Gavin commended the Fire Fighters for their professionalism in response to the fire at the Salt Therapy Studio on Main Street.

## **22. Adjournment**

**A motion was made by Mr. DiSilva and seconded by Mr. Swanberg to adjourn the meeting at 10:30 p.m. Voted by roll call. Motion carried unanimously.**

Approved: 7.20 pm

Date: 10/20/2020



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Jeffrey Swanberg, Clerk/Selectman

Initials: bjm